

REMARKS

Claim 1 is amended to recite a container for dispensing wipes having a removable bridge disposed in the mouth of the container. The bridge is specified to have a width less than that of the body of the container. Bases for this amendment are found in the specification (Fig. 1, paras. 25, 31). As noted in the specification, this arrangement provides for convenient removal of the bridge using one's finger (p. 3, para 25).

Claim 3 is amended for structural consistency with claim 1. Claim 4 is amended to recite the removable bridge is centered on the width of the container to provide a finger opening on either side of the bridge. Claim 7 is amended to recite a finger opening on each side of the bridge. Bases are found in the specification (Fig. 1, para. 25). This provides the ergonomic benefit of easily manipulating the bridge.

Claim 8 is amended to recite the stack of wipes is vertically oriented. Claim 12 is amended to recite the bridge has a transverse dimension less than the transverse dimension of the container body. Bases are found in the specification (Fig. 1, para. 25). Claim 12 is further amended to recite a biasing spring which acts in a direction transverse to the dispensing which occurs in the longitudinal direction. Bases are found in the specification (Fig. 2, para. 29). The biasing spring provides the benefit of urging successive wipes to stay in the proper position for convenient dispensing. By acting in a direction transverse to the longitudinal dispensing direction, the spring provides the benefit that wipes are maintained in a dispensing orientation without pushing the wipes through the dispensing orifice.

Claim 13 is amended to specify the longitudinal axis is vertical. Basis is found in the specification (Fig. 1, para. 29). This provides the benefit of a smaller footprint on the surface and a convenient dispensing direction.

Claim 14 is amended to recite the bridge is removed by grasping opposed sides thereof. Bases are found in the specification (para. 31). No new matter is added. This provides the ergonomic benefit of easily manipulating the bridge.

Easy manipulation (such as removal and insertion) of the bridge allows the bridge to be in place (for dispensing of wipes therethrough) and to be removed (for replenishing the wipes when depleted or the user wishes to grab multiple wipes at one time). Furthermore, when the width of the bridge is less than the width of the container body, the user can see past the bridge into the container and determine how many wipes remain.

Claims 1 – 15 are rejected under 35 USC 102-03 over several references. These references generally teach dispensing containers having removable lids. The prior art does solve the dual problems of having a bridge which provides for both pop-up dispensing of a wipe and easy removal for refilling of the wipes/being able to see into the container to know how many wipes remain. The claimed bridge (being removable and having a width lesser than the width of the container body) provides the dual functionality of 1) being easy to remove for restocking of the wipes and 2) allowing the user to look into the dispensing container to determine how many wipes remain. This dual functionality combination is not found in the prior art.

Martins (US 2,274,866), Wright et al. (5,390,820), Kenmotsu (2,619,398) and Fenton (2005/0189372) teach dispensers having a spring which biases in the longitudinal direction. This arrangement provides the problem of unduly forcing the wipe through the dispensing aperture, making it difficult to dispense a single wipe or to dispense a wipe without tearing. The prior art does not teach a biasing spring which acts transverse to the longitudinal axis of a container. Such transverse bias provides the benefit of holding the wipes upright, to be dispensed one wipe at a time (para. 29) without unduly pushing the wipes through the dispensing orifice.

Claims 2 and 12 – 15 are rejected under 35 USC 112, second para. Claim 2 is cancelled hereunder. Claims 12 – 15 are amended for to overcome this rejection.

Claim 7 is rejected for statutory type double patenting over claim 13 of application no. 11/228,792. This is believed to be cured by the amendments to claim 7 hereunder.

Various claims are rejected for judicially created double patenting over claim 13 of application no. 11/228,792. A terminal disclaimer is enclosed herewith to overcome this rejection.

The drawings are objected to for including reference numeral 82 (Fig. 8). Applicants respectfully submit the reference numeral is 18a, found in the specification at paras. 25, 26 and 31. No correction is believed to be necessary.

The drawings are further objected to for not including reference numeral 42 found in the specification (para. 25). Applicants respectfully note reference numeral 40 is likewise not found in the drawings, but also appears in the specification (para. 25). These reference numerals are not deemed critical to the understanding of the claims, and therefore have been deleted from the specification by amendment hereunder.

CONCLUSION

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. All matters raised by the office action are believed to be addressed by the amendments, cancellation and terminal disclaimer submitted hereunder. The Examiner is respectfully requested to enter these amendments and to reconsider and allow claims 1 and 3 – 15.

Respectfully submitted,

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